

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of

THE COMPLAINT OF MS. FRAN COLE, )  
FRANKFORT, KENTUCKY AGAINST )  
FARMDALE DEVELOPMENT CORPORATION )

CASE NO. 8547

O R D E R

On March 22, 1982 the Commission received a letter from Ms. Fran Cole, Frankfort, Kentucky concerning problems she is experiencing with sewer service including the backing of sewage into her home. Sewer service is provided by Farmdale Development Corporation. The Commission investigated the complaint and the Staff Report dated April 5,<sup>9</sup> 1982 summarizing the investigation and containing conclusions and recommendations is attached hereto (Appendix A).

By letter dated April 5, 1982 a copy of the Report was forwarded to Mr. Carroll Cogan, operator of the Farmdale Development Corporation requesting that Mr. Cogan respond to the matters in the Report no later than May 5, 1982. No response was received and by letter dated May 26, 1982 Mr. Cogan was again requested to respond. A copy of the letter is attached hereto (Appendix B).

The Commission, having considered the matter and being advised, HEREBY ORDERS That Farmdale Development Corporation appear at the offices of the Commission on June 16, 1982 at 10:00 a.m., Eastern Daylight Time to show cause, if any it can, why it should not comply with the recommendations in the Staff Report.

Done at Frankfort, Kentucky, this 10th day of June, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Voth  
Chairman

Katharine Randall  
Vice Chairman

Don Carrigan  
Commissioner

ATTEST:

Secretary

INTRA-AGENCY MEMORANDUM

KENTUCKY PUBLIC SERVICE COMMISSION

TO: Jesse C. Oak, Director of Engineering  
FROM: Mike Newton, Utility Inspector  
Water and Sewage Section  
RE: Complaint of Ms. Fran Cole  
Against Farmdale Development Corporation  
DATE: April 5, 1982

R E P O R T

Brief

On April 4, 1982, an investigation was made of the premises of Ms. Fran Cole, Frankfort, Kentucky, on the basis of her complaint. This investigation was initiated by myself with information provided by Ms. Cole.

This investigation was made in response to Ms. Cole's letter of complaint received by the Commission March 22, 1982.

Investigation

The investigation included an inspection of the premises located in the vicinity of 184 Cherry Lane.

Ms. Fran Cole had complained about the problem of her sewer backing up into her home. Ms. Cole lives in the last house on Cherry Lane, in which her home is situated several feet lower in elevation than her surrounding neighbors. She has lived at this residence for two years - nine months and has had no problem with her sewer system until approximately four months ago. She has stated that at this time her sewage system had slowed

to a point where it started to back up into her bathtub and commode when she ran her washing machine. She has contacted and hired a plumber, Doug Sanderson Plumbing and Heating, to check her sewer pipe. He has stated that he pushed a clean-out cable from the home of Ms. Cole to the manhole and then from the manhole back to the home. He found no blockage and stated that the sewer line was clear except for water apparently standing in the sewer pipe. The plumbers recommendation was that there must be a problem in the grade of the line.

A visual inspection was made of the sewage system in this area. Ms. Cole demonstrated how the waste water did back-up into the tub and commode when she used her washing machine. The manhole cover was opened to show water standing in the sewage pipe. Ms. Cole's foundation is approximately level with the manhole cover in elevation and since a surveyors level and sounding rod were not available a rough estimate of the slope of the sewage pipe could not be made.

Ms. Cole has stated that she has contacted by phone Mr. Carroll Cogan, owner of the Farmdale Sewage System, and that he has told her that she is responsible for the sewage pipe from her house to the manhole.

#### Conclusions

In accordance with 807 KAR 5:071, Section 5, the sewage utility is required to maintain that portion of

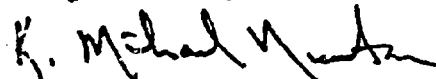
the service pipe from the main to the boundary line of the easement, public road, or street, under which such main may be located.

The customer shall install and maintain that portion of the service pipe from the end of the sewage utility's portion into the premises served.

Recommendations

1. The Farmdale Development Corporation should inspect their portion of the sewage pipe from the manhole to the customers property line. Should this inspection reveal that the sewage line needs to be repaired, then it should be corrected and placed back into useful service as soon as possible.
2. Ms. Fran Cole should have her sewage line inspected from her property line to her home. If this inspection discloses a needed repair, then the burden of the repair shall lie with the customer.
3. The Farmdale Development Corporation should file with this Commission within (30) thirty days of this report a copy of their investigation showing that a thorough inspection has been made.

Respectfully submitted,



K. Michael Newton



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

May 26, 1982

Mr. Carrol F. Cogan  
President  
Farmdale Development Corporation  
9141 Bardstown Road  
Louisville, Kentucky 40218

Re: Complaint

Dear Mr. Cogan:

On April 4, 1982, a field investigation was made in regard to a sewer complaint in the Farmdale Subdivision (Cherry Lane Area), Frankfort, Kentucky, by a representative of this Commission. A copy of this report was sent to you in the interest of obtaining your response. The deadline for your response was to be received by this Commission no later than May 5, 1982.

On May 6, 1982, a follow-up call was placed to your corporation in notification that the 30 days to respond to this report had expired. A representative from your company contacted and told this inspector that the information would be forthcoming in the next week.

As of this date no response has been received by the Public Service Commission. We feel the Commission has been more than lenient in waiting 60 days to obtain a response from your corporation. If your reply has not been received by June 2, 1982, we will continue with our proceedings in regard to this complaint case.

Mr. Carroll F. Cogan  
- Page two  
May 26, 1982

Please feel free to call me (502-564-6736) concerning  
any questions you may have in reference to this matter.

Yours truly,

K. Michael Newton,  
Utility Inspector

KMN/kw